

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TIM AND TERESA HARRIS)	
)	
COMPLAINANTS)	
)	
V.)	CASE NO.
)	2012-00472
OWEN ELECTRIC COOPERATIVE, INC.)	
)	
DEFENDANT)	

ORDER

On September 24, 2012, Tim and Teresa Harris filed a formal complaint against Owen Electric Cooperative, Inc. ("Owen Electric"). The complainants allege that they are long-term customers of Owen Electric who consistently pay their bills, but they have been required to pay a \$320.00 deposit. They claim the imposition of a deposit was improper, and they request that Owen Electric refund their deposit.

Upon receipt of the complaint, the Commission sent the complainants an acknowledgement letter addressed to 3090 Verona Mt. Zion Road, Crittenden, Kentucky, 41030, but that letter was returned as undeliverable.¹ A review of the Commission's records indicated that the complainants had previously called our offices regarding an informal complaint and at that time indicated that their mailing address was P.O. Box 55, Verona, Kentucky, 41092. The Commission re-mailed the acknowledgement letter to the P.O. Box address, and it was not returned as undeliverable.

¹ A copy of the envelope as returned to the Commission is attached hereto as the Appendix.

Commission regulation, 807 KAR 5:001, Section 12(4), specifies that upon receipt of a complaint, the Commission will determine whether it establishes a *prima facie* case, and if it does, an Order To Satisfy Or Answer is to be served on the utility. Prior to the Commission serving an Order To Satisfy Or Answer on Owen Electric, it filed an answer on November 1, 2012. In the answer, Owen Electric denied the substance of the complaint based on a schedule showing the complainants' billing and payment history for the past 24 months, and requested that the complaint be dismissed. Owen Electric's answer shows that a copy was served on the complainants at the address listed in their complaint, which was 3090 Verona Mt. Zion Road, Crittenden, Kentucky, 41030.

Based on a review of the record and being otherwise sufficiently advised, the Commission finds that the answer filed by Owen Electric should be accepted, but it should be re-served by Owen Electric on the complainants at P. O. Box 55, Verona, Kentucky, 41092, and a new certificate of service should be filed in this case.

IT IS THEREFORE ORDERED that:

1. Owen Electric's answer is accepted as a denial of the allegations in the complaint.
2. Owen Electric shall serve a copy of its answer on the complainants at P. O. Box 55, Verona, Kentucky, 41092, and shall file a new certificate of service in this case.
3. Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.

By the Commission

ENTERED ⁵⁹
NOV 30 2012
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:

Aaron D. Greenwell
Executive Director

Case No. 2012-00472

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2012-00472 DATED NOV 30 2012

Honorable James M Crawford
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